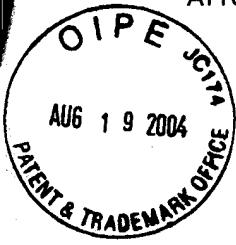




ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Geni G. Durkin
Michele A. Cimbara
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugaisky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Theodore A. Wood
Elizabeth J. Haanes

Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhuiler
Rae Lynn P. Guest
George S. Bardmesser
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller*
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Lefford*
Helene C. Carlson
Timothy A. Doyle*
Gaby L. Longsworth
Lori A. Gordon*
Nicole D. Dretar*

Ted J. Ebersole
Jyoti C. Iyer*
Laura A. Vogel
Registered Patent Agents*
Karen R. Markowitz
Nancy J. Leith
Matthew J. Dowd
Aaron L. Schwartz
Katrina Yujian Pei Quach
Bryan L. Sleton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Michelle K. Holoubek
Robert H. DeSels
Simon J. Elliott

Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Michael G. Penn
Christopher J. Walsh

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
+Admitted only in Virginia
•Practice Limited to
Federal Agencies

August 19, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8589

INTERNET ADDRESS:
LARRYB@SKGF.COM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 10/766,528; Filed: January 29, 2004
For: **Inhibition of HIV-1 Replication by Disruption of the Processing of the
Viral Capsid-Spacer Peptide 1 Protein**
Inventors: SALZWEDEL *et al.*
Our Ref: 1900.0430002/LBB/SJE

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated June 22, 2004, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO-2038 Credit Card Payment Form for \$3,738.00 to cover:
\$ 770.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);
\$ 130.00 Surcharge for Late Filing Fee or Declaration (37 C.F.R. § 1.16);
\$2,838.00 Excess Claims Fee;
2. Fee Transmittal Form (PTO/SB/17);
3. Copy of the Notice to File Missing Parts;
4. Notification of Loss of Entitlement to Small Entity Status
Under 37 C.F.R. § 1.27;
5. Original Declaration, executed by the inventors Karl Salzwedel, Feng Li, Carl T. Wild and Graham P. Allaway;
6. Original Declaration, executed by the inventor Eric O. Freed;
7. Request to Approve Proposed Drawing Corrections;

Commissioner for Patents
August 19, 2004
Page 2

8. 2 pages of Annotated Drawing Sheets (Figures 4 and 9);
9. 2 pages of Replacement Sheets (Figures 4 and 9);
10. Preliminary Amendment and Submission of Sequence Listing;
11. 7 pages of a Sequence Listing;
12. Computer readable copy of Sequence Listing;
13. Information Disclosure Statement;
14. Form PTO-1449 (13 sheets citing 46 documents);
15. 41 documents cited in Form PTO-1449 (attached); and
16. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Lawrence B. Bugaisky
Attorney for Applicants
Registration No. 35,086

LBB/SJE/lam
Enclosures

300839.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SALZWEDEL *et al.*

Appl. No.: 10/766,528

Filed: January 29, 2004

**For: Inhibition of HIV-1 Replication by
Disruption of the Processing of the
Viral Capsid-Spacer Peptide 1
Protein**

Confirmation No.: 2237

Art Unit: 1646

Examiner: *To be assigned*

Atty. Docket: 1900.0430002/LBB/SJE

**Notification of Loss of Entitlement to Small Entity Status
Under 37 C.F.R. § 1.27**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned believes that the above-captioned application is not entitled to small entity status. Appropriate fees for a large entity are submitted herewith.

Respectfully submitted,

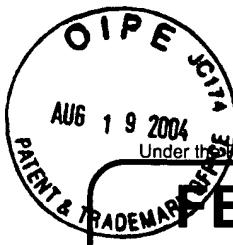
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Lawrence B. Bugaisky
Attorney for Applicants
Registration No. 35,086

Date: August 19, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

301692.1



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

EE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**3,738.00**

Complete if Known

Application Number	10/766,528
Filing Date	January 29, 2004
First Named Inventor	Karl SALZWEDEL
Examiner Name	To be assigned
Art Unit	1646
Attorney Docket No.	1900.0430002/LBB/SJE

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other** None

**Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036.

Deposit Account Number **19-0036**
 Deposit Account Name **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee		770.00	
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1)		(\$)	770.00		

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
109	14		- 20	= 89	= 18.00 = 1602.00
			- 3	= 11	= 86.00 = 946.00
				290.00	= 290.00

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20		
1201 86	2201 43	Independent claims in excess of 3		
1203 290	2203 145	Multiple dependent claim, if not paid		
1204 86	2204 43	** Reissue independent claims over original patent		
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2)		(\$)	2838.00	

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			130.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 420	2252 210	Extension for reply within second month			
1253 950	2253 475	Extension for reply within third month			
1254 1,480	2254 740	Extension for reply within fourth month			
1255 2,010	2255 1,005	Extension for reply within fifth month			
1401 330	2401 165	Notice of Appeal			
1402 330	2402 165	Filing a brief in support of an appeal			
1403 290	2403 145	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,330	2501 665	Utility issue fee (or reissue)			
1502 480	2502 240	Design issue fee			
1503 640	2503 320	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))			
1801 770	2801 385	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$)** **130.00**

SUBMITTED BY

Name (Print/Type)	Lawrence B. Bugaisky	Registration No. (Attorney/Agent)	35.086	Telephone	(202) 371-2600
Signature	<i>Lawrence B. Bugaisky</i>			Date	August 19, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BOX-S 891
IPW 8/1

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,528	01/29/2004	Karl Salzwedel	1900.0430002/JMC/MBT



26111
 STERNE, KESSLER, GOLDSTEIN & FOX PLLC
 1100 NEW YORK AVENUE, N.W.
 WASHINGTON, DC 20005
 08/20/2004 EFLONES 00000051 10766528

01 FC:1001 770.00 0P
 02 FC:1201 946.00 0P
 03 FC:1202 1602.00 0P
 04 FC:1051 130.00 0P
 05 FC:1203 340.00 0P

CONFIRMATION NO. 2237

FORMALITIES LETTER



OC000000013019317

Date Mailed: 06/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1419** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

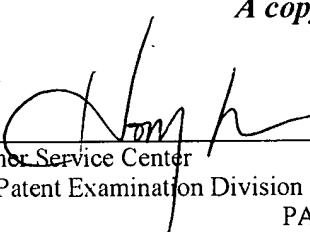
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1869** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1419**
 - **\$473** for 11 independent claims over 3.
 - **\$801** for 89 total claims over 20.
 - **\$145** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SALZWEDEL *et al.*

Appl. No.: 10/766,528

Filed: January 29, 2004

For: **Inhibition of HIV-1 Replication by Disruption of the Processing of the Viral Capsid-Spacer Peptide 1 Protein**

Confirmation No.: 2237

Art Unit: 1646

Examiner: *To be assigned*

Atty. Docket: 1900.0430002/LBB/SJE

Request to Approve Proposed Drawing Corrections

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached are copies of two (2) drawing sheets, containing 1) proposed corrections to Figures 4 and 9, shown in red; and 2) the replacement Figures. The proposed change adds no new matter to this application. Applicants request that the Examiner approve the proposed corrections.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Lawrence B. Bugaisky
Attorney for Applicants
Registration No. 35,086

Date: August 19, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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